IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI WESTERN DIVISION

| RICHARD MITCHELL, |) |
|--------------------------------------|------------------------------|
| Plaintiff, |) |
| |) Case No. 23-00138-CV-W-GAF |
| vs. |) |
| |) |
| THE DIEZ GROUP, LLC d/b/a Diez Group |) |
| and THE DIEZ GROUP KANSAS CITY LLC |) |
| d/b/a Delaco Steel Kansas City, |) |
| |) |
| Defendants. |) |
| | |

ORDER

Now before the Court is Plaintiff Richard Mitchell's ("Plaintiff") Motion for Extension of Time to respond to Defendants' summary judgment motion. (Doc. 40). Defendants The Diez Group, LLC and The Diez Group Kansas City LLC (collectively "Defendants") oppose because Plaintiff failed to include their request for an additional week to file its reply brief in the motion. (Doc. 41). The parties have submitted email exchanges between counsel on the matter, which reveal a mere miscommunication is at the core of the disagreement. (Docs. 41-1, 42-1). In actuality, the parties' consent to one another's extension requests. Accordingly, it is

ORDERED that Plaintiff's Motion is GRANTED. Plaintiff shall file her response or opposition to Defendants' motion for summary judgment on or before February 12, 2024. Defendants shall file their reply brief within 21 days of the filing of Plaintiff's response/opposition.

s/ Gary A. Fenner
GARY A. FENNER, JUDGE
UNITED STATES DISTRICT COURT

DATED: February 9, 2024